



3.763
Applicant: Joseph Von Teichert
Serial No.: 09/932,797
Examiner: LoAn H. Thanh
Art Unit: 3763
Filed: August 20, 2001
Docket: 02-221-JB

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 CFR 1.8

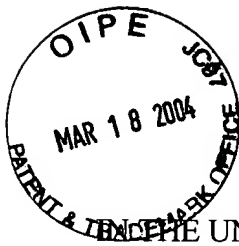
The undersigned hereby certifies that the following:

1. Petition Regarding Office Action
2. Copy of Office Action
3. Response to Office Action
4. Return Receipt Postcard

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MAR 22 2004
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are being deposited with the U.S. Postal Service on the date subscribed below, with sufficient postage as first class mail, in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Donna Miller Date: 3-15-04
Donna Miller



UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
Joseph Von Teichert)
Serial No. 09/932,797)
Filed: August 20, 2001)
For: SAFETY SYRINGE/CATHETER)
_____)

PATENTS

Primary Examiner:
LoAn H. Thanh

Art Unit 3763

PETITION REGARDING OFFICE ACTION

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Examiner Thanh:

Enclosed please find a copy of the Office Action mailed on February 4, 2004. As can be seen from our stamp this Office Action was not received in our office until March 11, 2004 and it appears that the Office Action was returned to the Technology Center R3700 on March 3, 2004.

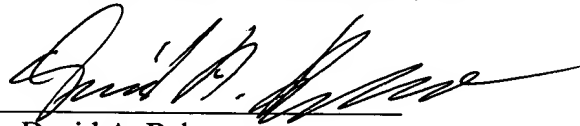
We believe that this Office Action was not received in a timely manner, as the address shown on the Office Action is incorrect. While our change of address with the PTO was properly done it appears the street address was omitted from the PTO computer system. We ask that you

allow us additional time to respond to this Office Action in view of these circumstances. A response to the Office Action is enclosed herewith.

Respectfully submitted,

BELASCO JACOBS & TOWNSLEY, LLP

Dated: March 15, 2004

By: 

David A. Belasco

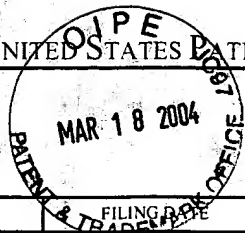
Registration No. 41,609

Attorney for Applicant

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,797	08/20/2001	JOSEPH VON TEICHERT	Q875-P	5873

31718 7590 02/04/2004

BELASCO, JACOBS & TOWNSLEY LLP
HOWARD HUGHES CENTER
LOS ANGELES, CA 90045

EXAMINER

THANH, LOAN II

ART UNIT PAPER NUMBER

3763

DATE MAILED: 02/04/2004

11

Please find below and/or attached an Office communication concerning this application or proceeding.

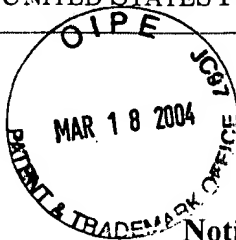
DH1 03/13/04	
ENTERED ON DOCKET	RESPONSE DUE
	03/04/04
ACTION NOTED	
Replied to OA	

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Paper No. 11

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 1-20-04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

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For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/prcognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH time limit is not extendable**.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Tracie Hargreave
Legal Instruments Examiner (LIE)

305-3453
Telephone No.